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2 AUG 1976

MEMORANDUM FOR: Acting CIA Member  
National Foreign Intelligence Board

FROM : Robert W. Gambino  
Director of Security

SUBJECT : Release of Sensitive Compartmented  
Information to Contractors/Consultants

REFERENCE : Memo dated 19 June 1976 from Director,  
DIA to Chairman, NFIB, same subject  
(TCS-██████████889212-76)

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1. The referenced Defense Intelligence Agency (DIA) proposal to provide Sensitive Compartmented Information (SCI) to contractor personnel engaged on the World-Wide Military Command and Control System (WWMCCS) does not appear to be totally incompatible with either the DCI Policy on Release of Foreign Intelligence to Contractors (incorporated into DCID 1/7) or Annex F of the DCI Communications Intelligence Security Regulations (CISR). It does pose a problem, however, with regard to the ORCON and NOCONTRACTOR controls imposed under DCID 1/7. These controls are utilized in some cases to protect the sources and methods employed in clandestine ██████████ collection and may require individual, case-by-case judgments regarding their releasability to contractors.

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2. In order to support the WWMCCS, a high priority and costly development effort of the Department of Defense (DoD), relief should be possible by making specific bilateral agreements between Intelligence Community agencies and the DoD to release SI and TK material to contractors, subject to the constraints imposed by DCID 1/7 and the CISR and those required for the protection of clandestine sources and methods. Such agreements should include the following criteria:

a. Specific written agreement on the individual contract or project, e.g., WWMCCS development.

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b. The disclosure authority must be subject to stipulated time limitations. It may not be open-ended.

c. Contractor employees/consultants must be approved for each specific SCI compartment to which they will have access.

d. Contractor/consultant personnel must be identified by name, and changes or additions must be reported to all parties to the agreements. The number of contractor personnel must be severely limited.

e. The SCI material may be viewed or utilized only within appropriately accredited U. S. government facilities and may not be removed from such premises by contractor personnel.

f. Contractor/consultants may not reproduce SCI material.

g. Contractor/consultants and their contractor employers must agree in writing that any information obtained under the designated contract may not be revealed to other contractor employees.

h. Records must be kept identifying contractor personnel who have had access to intelligence materials.

3. While the foregoing would provide relief for use of SCI-controlled materials, because of the possibility of risk to clandestine collection and human resources, it will not be possible to provide blanket approval for the dissemination of ORCON or NOCONTRACTOR material originated by CIA to contractor personnel. Instead, a special arrangement is recommended providing shortened channels for approval or disapproval, on a document-by-document basis, of ORCON and/or NOCONTRACT material. A CIA focal point should be designated, with the priority mission of providing prompt service to WWMCCS requests for disclosure of ORCON and/or NOCONTRACT materials to designated contractor personnel. This arrangement should be a part of the overall agreement

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and should be subject to the same limitations concerning the number of persons and duration of the agreement.

4. The referenced memorandum compounds the problem by dealing with SCI and the DCID 1/7 control markings as a single entity. They are significantly different. The SCI systems are fundamentally dedicated to the protection of technical collection systems, while ORCON is, as noted above, generally concerned with human sources and NOCONTRACTOR is intended to protect the interests of private individuals contributing to the U. S. intelligence effort.

5. Because the problem involves separate and distinct procedures, it is believed that the SCI problem can be dealt with through bilateral blanket agreements, while the matter of the DCID 1/7 controls must be attended to on an individual basis. Nevertheless, this approach should provide considerable relief to the Defense Communications Agency (DCA) in carrying out its task of developing the WWMCCS. Mr. Robert Bookman of DCA, Acting Project Officer for WWMCCS, has advised that only about ten contractor personnel will require access to the material for which DCA has requested special arrangements. He has also indicated that past problems have resulted from the extremely lengthy time required for the clearance procedure. He says no request has ever been turned down.

6. It is recommended that formal agreements be prepared permitting the dissemination of SCI material to designated WWMCCS contractor personnel and providing streamlined procedures for obtaining rapid approval/disapproval of dissemination of individual documents bearing DCID 1/7 markings. Within CIA it is recommended that the Office of the Chief of Operations, DDO, be the focal point for handling these exceptions.

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